

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY  
Caption in Compliance with D.N.J. LBR 9004-1(b)

Denise Carlon, Esquire  
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Captial One, N.A.

In Re:  
Daniel Cohen,  
  
Debtor.



Order Filed on November 15, 2016  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

Case No.: 14-21875-KCF

Adv. No.:

Hearing Date: 06/24/2015 @ 9:00 a.m.

Judge: Kathryn C. Ferguson

**CONSENT ORDER CURING POST-PETITION ARREARS**

The relief set forth on the following pages, numbered two (2) through three (3) is hereby **ORDERED.**

**DATED: November 15, 2016**

  
Honorable Kathryn C. Ferguson  
United States Bankruptcy Judge

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Debtor: Daniel Cohen

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Caption of Order: CONSENT ORDER CURING POST-PETITION ARREARS

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This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, Capital One, N.A., Denise Carlon, Esq. appearing, upon a motion for relief from stay as to real property located at 40 Welisewitz Road, East Amwell, NJ 08551, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and William Wolfson, Esq., attorney for Debtor, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of October 15, 2016, Debtor is in arrears outside of the Chapter 13 Plan to Secured Creditor for payments due May 2016 through October 2016 with \$2,354.58 in suspense for a total post-petition default of \$14,315.88 (6 @ \$2,778.41; less suspense of \$2,354.58); and

It is further **ORDERED, ADJUDGED and DECREED** that the balance of the arrears in the amount of \$14,315.88 shall be added to the affidavit of amount due and paid through Debtors' Chapter 13 plan; and

It is further **ORDERED, ADJUDGED and DECREED** that regular mortgage payments are to resume November 1, 2016, directly to Secured Creditor, Capital One, N.A., Payment Processing, P.O. Box 105385, Atlanta, GA 30348-5385 (Note: the amount of the monthly mortgage payment is subject to change according to the terms of the note and mortgage); and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtor's Chapter 13 bankruptcy proceeding, if the lump sum payment or any regular monthly mortgage payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtors shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtor, and Debtor's counsel at the time of submission to the Court; and

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It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs in the sum of \$350.00 for attorneys' fees and \$176.00 for filing fees totaling \$526.00, which is to be paid through Debtors' Chapter 13 plan; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor's Motion for Relief is hereby resolved.

Dated: 10/28/16

I hereby agree and consent to the above terms and conditions:

/s/Denise Carlon

DENISE CARLON, ESQ., ATTORNEY FOR SECURED CREDITOR

I hereby agree and consent to the above terms and conditions:

Dated: 10/27/16

/s/ William Wolfson

WILLIAM WOLFSON, ESQ., ATTORNEY FOR DEBTOR

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